

REMARKS

Claims 20-37 are active in the present application.

Applicants have now submitted a substitute Sequence Listing and a corresponding computer-readable Sequence Listing. The Sequence Identifiers appearing in the specification have been updated to accomodate for corrections in the originally filed Sequence Listing. The sequence information recorded in the corresponding computer-readable Sequence Listing is identical to the paper copy of the substitute Sequence Listing. Support for all of the sequences listed in the substitute Sequence Listing is found in the present application as originally filed. No new matter is believed to have been introduced by the submission of the Sequence Listing and the corresponding computer-readable Sequence Listing.

Further, Claims 20, 23, and 33 and the specification at page 6, line 11, page 8, line 18, page 9, line 27, and page 26, lines 28-29 have been amended to insert the proper name for the enzyme denoted ICDH ("isocitrate dehydrogenase"). Applicants submit that this error is an obvious clerical error that occurred without deceptive intent. Although ICDH may function to synthesize isocitrate under certain conditions as a reverse reaction of dehydrogenation, "isocitrate synthase" is not the correct indication for ICDH. The correct name of ICDH is "isocitrate dehydrogenase". Support for these amendments and the correlation between ICDH and "isocitrate dehydrogenase" can be found at page 2, lines 18-19, page 26, line 25, page 34, line 18 and page 34, line 29. To further support this amendment, Applicants wish to draw the Examiner's attention to Mansi (1998) and Alvarez-Villafanc et al (1996), **copies enclosed herewith**. These references clearly evidence that the skilled artisan would readily appreciate the error, as well as the solution of the clerical errors referred to hereinabove. As such, entry of this amendment is earnestly solicited.

Applicants would also like to bring the Examiner's attention to an amendment in SEQ ID NO: 64 (previously SEQ ID NO: 62). The nucleotide at position 29 was inadvertently entered as "f" at the time of filing and should have properly been listed as "g". Applicants' representative has been informed that this error was the unfortunate by-product of "f" and "g" being located in adjacent positions on the keyboard. Applicants submit that this error is obvious and so is the correction. For example, at page 55, lines 3-6, Applicants describe SEQ ID NO: 64 (previously SEQ ID NO: 62) as being a primer used for amplification of the *gdh* promoter. Accordingly, the skilled artisan would readily appreciate that "f" is not a proper nucleic acid designator and that, based on the description and publicly available databases (e.g., GenBank), the proper sequence of the *gdh* promoter region would result in the disclosed primer containing a "g" at this position. Accordingly, Applicants submit that the amendment of SEQ ID NO: 64 (previously SEQ ID NO: 62) does not constitute new matter.

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Applicants submit that the present application is in condition for allowance. Early notification to this effect is respectfully requested.

Respectfully submitted,

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